

# SENATE RECORD VOTE ANALYSIS

104th Congress  
1st Session

Vote No. 59

January 27, 1995, 12:30 p.m.  
Page S-1654 Temp. Record

## UNFUNDED MANDATES/Private Sector Competitive Disadvantages

**SUBJECT:** Unfunded Mandate Reform Act of 1995 . . . S. 1. Kempthorne motion to table the Levin amendment No. 274.

### ACTION: MOTION TO TABLE AGREED TO, 52-43

**SYNOPSIS:** Pertinent votes on this legislation include Nos. 15-41, 43-45, 47-58, and 60-61.

As reported by the Governmental Affairs Committee and the Budget Committee, S. 1, the Unfunded Mandate Reform Act of 1995, will create 2 majority (51-vote) points of order in the Senate. The first will lie against the consideration of a bill or joint resolution reported by an authorizing committee if it contains mandates and if Congressional Budget Office (CBO) cost estimates on those mandates are unavailable. The second point of order will lie against the consideration of a bill, joint resolution, motion, amendment, or conference report that will cause the total cost of unfunded intergovernmental mandates in the legislation to exceed \$50 million.

**The Levin amendment** would provide that no point of order would lie against an intergovernmental mandate that was not fully funded if that mandate was contained in reported legislation and the authorizing committee reporting that legislation determined that providing full funding would result in "a significant competitive disadvantage to the private sector."

Debate was limited by unanimous consent. Following debate, Senator Kempthorne moved to table the Levin amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

**No arguments were expressed in favor of the motion to table.**

**Those opposing** the motion to table contended:

This amendment would let a committee report legislation containing unfunded Federal intergovernmental mandates without a point of order lying against those mandates if that committee were to find that exempting governments from those mandates or paying

(See other side)

YEAS (52)			NAYS (43)		NOT VOTING (5)	
Republicans (51 or 100%)	Democrats (1 or 2%)		Republicans (0 or 0%)	Democrats (43 or 98%)	Republicans (2)	Democrats (3)
Abraham	Hutchison	Baucus		Akaka	Hollings	
Ashcroft	Inhofe			Biden	Kennedy	Gramm- <sup>2</sup>
Bennett	Jeffords			Bingaman	Kerrey	McCain- <sup>2</sup>
Bond	Kassebaum			Boxer	Kerry	
Brown	Kempthorne			Bradley	Kohl	
Burns	Kyl			Bryan	Lautenberg	
Chafee	Lott			Bumpers	Leahy	
Coats	Lugar			Byrd	Levin	
Cochran	Mack			Campbell	Lieberman	
Cohen	McConnell			Conrad	Mikulski	
Coverdell	Murkowski			Daschle	Moseley-Braun	
Craig	Nickles			Dodd	Moynihan	
D'Amato	Packwood			Dorgan	Murray	
DeWine	Pressler			Exon	Nunn	
Dole	Roth			Feingold	Pell	
Domenici	Santorum			Feinstein	Pryor	
Faircloth	Shelby			Ford	Reid	
Frist	Simpson			Glenn	Robb	
Gorton	Smith			Graham	Rockefeller	
Grams	Snowe			Harkin	Sarbanes	
Grassley	Specter			Heflin	Simon	
Gregg	Stevens				Wellstone	
Hatch	Thomas					
Hatfield	Thompson					
Helms	Thurmond					
	Warner					

#### EXPLANATION OF ABSENCE:

1—Official Business  
2—Necessarily Absent  
3—Illness  
4—Other

#### SYMBOLS:

AY—Announced Yea  
AN—Announced Nay  
PY—Paired Yea  
PN—Paired Nay

the costs of those mandates would have a significant negative economic impact on the private sector. In areas in which the private and public sector compete, the Federal Government should not tilt the playing field by paying for public sector mandates and not paying for private sector mandates. We had hoped to modify this amendment to be a sense of the Senate amendment, but an objection was heard. Now we are voting on basically the same subject on which we voted on the earlier Lieberman amendment (see vote No. 29). We supported the Lieberman amendment, and we support this amendment as well.